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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,769	04/10/2001	Anant Mahajan	CR2035AA	1026

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EXAMINER

AKPATI, ODAICHE T

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/829,769	MAHAJAN ET AL.	
	Examiner	Art Unit	
	Tracey Akpati	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04102001</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7, 9-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (6640301 B1).

With respect to Claim 1, Ng meets the limitation of "receiving information from an information source" on column 5, lines 26-28; and "validating said information" on column 5, lines 29-33; and "storing said validated information" on column 6, lines 48-51; and "automatically forwarding said validated information to a second end terminal of said plurality of end terminals over a communication channel established between said first and said second end terminals; wherein said communication channel is established for a purpose separate from forwarding said validated information" on column 6, lines 56-58. The first terminal is represented by the email website server while the second terminal is represented by the client.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the communication channel be used for purposes other than forwarding said validated information because the channel is used to forward other forms of information such as HTTP packets from one end to the other.

With respect to Claim 2, Ng meets the limitation of “receiving a positive acknowledgement from said second end terminal” inherently on column 1, lines 43-45. TCP inherently sends a positive acknowledgement (ACK) for every packet successfully received. Hence an ACK would inherently have been sent by the second end terminal to show that the message was successfully received.

With respect to Claim 3, Ng meets the limitation of “informing said information source that said information has been successfully disseminated” on column 10, lines 13-14. Transmission of the message indicates that the information has been successfully sent.

With respect to Claim 7, Ng meets the limitation of “wherein said method is performed by a validated first end terminal” on column 5, lines 29-34.

With respect to Claim 9, Ng meets the limitation of “wherein said information is forwarded over said established communication channel as a piggyback in a frame” on column 1, lines 43-45. Piggybacking is inherently in TCP/IP communications.

With respect to Claim 10, Ng meets the limitation of “wherein said information is contained in a data field of said frame” on column 1, lines 43-45. TCP/IP inherently transmits packets that are composed of a header and a data field.

With respect to Claim 11, Ng meets the limitation of “receiving information from an information source” on column 5, lines 26-28; and “validating said information” on column 5, lines 29-33; and “storing said validated information” on column 6, lines 48-51; and “detecting establishment of a communication channel between said first end terminal and a second end terminal of said plurality of end terminals, wherein said communication channel is established for a purpose separate from forwarding said validated information” on column 7, lines 3-17; and “automatically forwarding validated information to said second end terminal over said established communication channel” on column 6, lines 56-58.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the communication channel be used for purposes other than forwarding said validated information because the channel is used to forward other forms of information such as HTTP packets from one end to the other.

With respect to Claim 12, Ng meets the limitation of “receiving a positive acknowledgement from said second end terminal; and informing said information source that said information is successfully disseminated” on column 1, lines 43-45 and on column 10, lines 13-14.

With respect to Claim 14, Ng meets the limitation of “sending information from an information source to at least one end terminal, wherein said at least one end terminal validates said information and forwards said information via a piggyback in a frame when

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a channel is established between said at least one end terminal and another end terminal for a purpose other than dissemination of information” on column 5, lines 29-34 and on column 1, lines 43-45.

With respect to Claim 15, Ng meets the limitation of “an information source” on column 5, lines 26-28; and “at least two end terminals including a first end terminal and a second end terminal” on column 6, lines 42-46; and “wherein said first end terminal performs a method including receiving information from said information source” on column 6, lines 48-51; and “validating said information” on column 6, lines 59-61; and “storing said validated information” on column 6, lines 48-51 and 63-66; and “automatically forwarding said validated information to said second end terminal of said plurality of end terminals over a communication channel established between said first and said second end terminals, wherein said communication channel is established for a purpose separate from forwarding said validated information” on column 6, lines 56-58.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the communication channel be used for purposes other than forwarding said validated information because the channel is used to forward other forms of information such as HTTP packets from one end to the other.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (6640301 B1) in view of Gogerty (US 2004/0117245 A1).

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With respect to Claim 4 and 13, Ng meets all the limitation except for the following limitation. The limitation of “including receiving a reward for successfully disseminating said information” is met by Gogerty on paragraphs 33 and 34.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gogerty within the system of Ng because a reward provides an incentive to the sender of information.

Claims 5, 6, 8, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (6640301 B1) in view of Sandhu et al (US2002/0078353 A1).

With respect to Claim 5, Ng meets all the limitation except for the following limitation. The limitation of “wherein validating said information includes validating said information using a verification key provided by a certification authority” is met by Sandhu et al on paragraph 15.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sandhu et al within the system of Ng because validation by using a public key provided by a certification authority (CA) is well known in the art.

With respect to Claim 6, Ng meets all the limitation except for the following limitation. The limitation of “wherein said verification key is a public key” is met by Sandhu et al on paragraph 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sandhu et al within the system of Ng because validation by using a public key provided by a certification authority (CA) is well known in the art.

With respect to Claim 8, Ng meets all the limitation except for the following limitation. The limitation of “wherein said first end terminal is validated using a root key” is met by Sandhu et al on paragraph 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sandhu et al within the system of Ng because validation by using a public key provided by a certification authority (CA) is well known in the art.

With respect to Claim 16, Ng meets all the limitation except for the following limitation. The limitation of “an information certification authority that provides a verification key to said first end terminal for validating said information” is met by Sandhu et al on paragraph 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sandhu et al within the system of Ng because validation by using a public key provided by a certification authority (CA) is well known in the art.

With respect to Claim 17, Ng meets all the limitation except for the following limitation. The limitation of “wherein said information source receives said information from said information certification authority” is met by Sandhu et al on paragraph 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sandhu et al within the system of Ng because validation by using a public key provided by a certification authority (CA) is well known in the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracey Akpati whose telephone number is 703-305-7820. The examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please note the Patent Office will be moving to the Alexandria campus next month. The new phone number for myself, Tracey Akpati is (571) 272-3846, my SPE, Kim Vu is (571) 272-3859 and the receptionist is (571) 272-2100.

OTA

Tracey Akpati
AU 2135